MAKING AN EFFECTIVE SUBMISSION FOR A PLANNING APPLICATION

What can I do if I am notified of a Planning Application?



Notified of advertised planning application

If notified, you have **four options**.

Curious or concerned?

Unconcerned?

Learn about the application

Review the plans to understand what is proposed and the applicable planning considerations. You may discuss the proposal with the applicant or responsible Council planning officer.



1

No action

If you are unconcerned by the proposal, you do not have to take any further action.



Still concerned?

Have ideas for changes?

2

Negotiate

You may wish to contact the applicant directly to discuss any changes to the proposal. This could address your concerns.





Make submission



3

Object

If you have a valid concern about the proposal, you may object to it. For Council to consider your concern in its decision, clearly state in your submission that you object.

4

Comment

You can lodge a submission to express your support or concern without objecting.



Why can my submission be valuable?

Council seeks the views of potentially affected community members when reviewing planning applications. This helps determine a proposal's impact and if it is suitable. It can also inform if any changes might address concerns. Consider whether your submission will object or provide comment on the proposal. Only objectors have the right to appeal the decision made on an application **with the Victorian Civil and Administrative Tribunal (VCAT).**

Factors that Council **cannot** consider in a submission

Although council must review all submissions, policies guide which matters are considered valid. Objections based on moral grounds or private and commercial competition will not be considered.

The following are some examples of common objections that may not be valid.

- Loss of property values, or perceived loss of revenue or profit
- Loss of view*s*/outlook (unless a Design and Development Overlay - Schedule 1 applies)
- Speculative activities outside the scope of the Planning Scheme (e.g., rental accommodation)
- Interpersonal conflict with the applicant/owner
- Demolition, construction management, damage (i.e., damage to boundary wall, construction noise).

Factors that Council **can** consider in a submission

Each application is unique as different planning controls apply to different sites. Some common submissions grounds that can be considered include:

- Character of the neighbourhood (i.e. building height, building materials)
- Traffic congestion
- Loss of privacy (i.e. due to overlooking)
- Visual bulk of building
- Loss of vegetation
- Overdevelopment
- Impact on drainage
- Residential noise

Not all factors will be relevant for all planning applications. Please check the advertised materials for the application you are concerned about **and speak to the Council planning officer to** clarify which factors are relevant to it.

How to ensure your submission is effective

Use the following tips to write a well-framed submission. This will ensure your submission is properly considered by Council and the applicant.

- Break your submission down into the key themes.
- Be clear on why the proposal will impact you and in what form. If only a section of the proposal will impact you, please highlight this.
- Keep your submission succinct and focused on the reasons a planning permit is needed.
- Please use respectful language and be objective. Your submission will be listed on the Council website (with personal information redacted).
- We welcome any suggestions for solutions that might address your concerns.

How do I lodge my submission?

Please make your submission or objection in writing. Ensure it references the planning application number. Include contact details of the person making the submission. Please do not scan or take a photograph of your submission. Use the Planning Submission form and email it to basscoast@basscoast.vic.gov.au.

What happens after I make a submission?

- Council will assess all submissions for the application at any point up until a decision is made.
- If you lodge a submission, Council will notify you of receipt. This is done via your nominated mailing or email address. You will be notified of the outcome (if permit is granted or refused).
- You may withdraw your submission at any point.
- If you wish to appeal the decision, you may apply at the Planning Division of the Victorian Civil and Administrative Tribunal (VCAT). This can be done within 28 days of the date of issue. The relevant forms, fees and associated material scan be found at www.vcat.com.au or by phoning 1300 018 228.

The time taken for Council to assess an application and make a decision varies. This depends on the complexity of the application and the submissions received. An indicative timeline for processing applications can be accessed via this link.

Examples of an effective submission

Example 1 - Impact on the character of the neighbourhood

I live across the road from the proposed townhouses. I am objecting on the grounds that the four three-storey townhouses will not fit within the current character of the neighbourhood, which consists predominantly of single storey, detached houses with large, landscaped front yards.

If approved, the construction of these townhouses will have a detrimental effect on the existing character of the street because:

- The height of the townhouses will dominate the streetscape.
- The proposed roof form does not fit with the current pitched roof form of surrounding dwellings.
- The townhouses will be built to all boundaries and will disrupt the existing garden character and detached streetscape rhythm.
- There is a lack of soft landscaping and vegetation.

Example 2 – Amenity impact of overlooking development

I live next door to the proposed development. I have looked at the plans for the double-storey addition to my neighbour's house and believe it will have a negative impact on my property.

The new first-floor windows facing the back yard will mean that people can see into my backyard. I think the windows should be screened. The additional storey is also very tall, and the shadow diagrams show that my back yard will be overshadowed in the afternoon.

Example 3 – Impact of proposal to reduce car parking

I live across the road from the proposed dwellings and am concerned with the reduction to the car parking requirement.

Over recent years, our street has become very busy, and it is difficult to find a parking space. I am dependent on my family and carers, who sometimes must park some distance away from my house.

If a permit is approved, it will have a negative impact on the amenity of the area because of the reduced parking availability. The proposal should provide the necessary amount of parking spaces to reduce this impact.